

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47255 of 2018

Arising Out of PS. Case No.-576 Year-2018 Thana- BIHTA District- Patna

Shubham Kumar, S/o Govind Mahto, R/o Mohalla-Nasriganj, P.S. Danapur,
Distt-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 02-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Bihta
P.S. Case No. 576 of 2018 registered for the offence punishable
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

2142 lts. of foreign liquor is said to have been
recovered from a truck and its driver, namely, Mintu Kumar was
apprehended while another accused managed to escape alighting
from the said truck. During course of investigation, involvement
of petitioner was found as he had interacted with the said driver
preceding to the occurrence on mobile.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from conscious physical possession of the petitioner. He has no concern either with the seized liquor or with the vehicle in question or with any trade of liquor. He was not apprehended on the spot. He never interacted with the aforesaid driver. He has been falsely implicated in this case at the instance of his enemy. He has no criminal antecedent. He has been languishing in custody since 14.06.2018.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Patna in connection with Bihta P.S. Case No. 576 of 2018.

(Prakash Chandra Jaiswal, J)

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